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REMARKS

The examiner states that the amendments to the specification filed on December 1, 2008 constitute new matter. This is respectfully traversed.

The amendments to the specification were made to conform the text to the amendments made during the international phase. Although certain amendments are being made to the specification in this response, applicants disagree that the amendments made on December 1, 2008 constitute new matter.

The specification is amended to include sequence identifiers.

The Examiner rejected claims 1-9 under 35 USC 112, first paragraph as not being enabled. This is respectfully traversed.

Claim 1 has been cancelled and replaced with claim 10.

Three examples are provided in the description of the present application. Example 2 involves the killing effect of the inventive recombinant adenoviral vector containing p53 to fibroblast cells. Example 3 involves the treatment results of the inventive recombinant adenoviral vector containing p53 to keloid in clinical research of scar genetic treatment. It can be seen from Example 2, and from Figures 8 and 9 which represent the results of Example 2, that the recombinant adenoviral vector containing p53 of the present application exhibits a substantive killing effect to fibroblast cells *in vitro*. Although a clinical study has only been carried out with respect to one kind of specific type of scar (i.e., keloid), it can be understood from the results of *in vitro* tests that all kinds of scar can be medically treated with the recombinant adenoviral vector containing p53 of the present application because the product of the present application has a killing effect to fibroblast cells. Thus, the description of the present application provides enablement of the claimed recombinant of adenoviral vector a human suppressor p53 gene express cassette composed of Rous Sarcoma Virus LTR promoter 5'cis-acting sequence-p53 cCNA-3'cis-acting sequence-polyadenosine for treating any kind of scar. Therefore, it is respectfully requested that this rejection be withdrawn.

*PAGE 8/9 * RCVD AT 1/10/2011 5:48:37 PM [Eastern Standard Time] * SVR:USPTO-EFXRF-5/26 * DNIS:2738300 * CSID:Ladas Parry LLP NY * DURATION (mm-ss):04-28

The rejections under 35 USC 102 and 35 USC 103 made by the Examiner are traversed. The claims as presented in this response are novel and inventive over the cited references. None of the cited references discloses a method of treating any kind of scar by administering the presently claimed recombinant comprising a specific p53 gene expression cassette composed of Rous Sarcoma Virus LTR promoter-5-cis-acting sequence –p53 cDNA-3'cis-acting sequence-polyadenosine. Specifically, none of the cited references discloses the specific Rous Sarcoma Virus LTR promoter as defined in claim 1.

Persons skilled in the art have not been motivated to modify the promoter used in the methods of the cited references because it cannot be predicted whether or not the substitution of promoter would change the properties of the recombinant. Thus, the claims are not obvious over the cited references and are patentable over these references.

Accordingly, it is submitted that the application is in condition for allowance and favorable consideration is respectfully requested.

Respectfully submitted,

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